

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

FIRSTENERGY GENERATION, LLC)	
)	
)	
and)	Case No. 06-CA-121513
)	
)	
INTERNATIONAL BROTHERHOOD OF)	
ELECTRICAL WORKERS,)	
LOCAL UNION NO. 272, AFL-CIO)	

**RESPONDENT'S EXCEPTIONS TO THE
DECISION OF THE ADMINISTRATIVE LAW JUDGE**

Respondent, FirstEnergy Generation, LLC (FirstEnergy), by and through its undersigned attorneys, pursuant to Section 102.46 of the National Labor Relations Board's Rules and Regulations, hereby files and respectfully requests the Board to consider the following Exceptions to Administrative Law Judge David I. Goldman's decision, which was issued on January 23, 2015:

1. At page 1.

The Administrative Law Judge's finding that the retiree benefits information is a relevant source of information for a union engaged in collective-bargaining negotiations that include, as a mandatory subject of bargaining, future retiree benefits for current employees, and that the employer's refusal to provide such information violates the Act.

2. At page 9, line 24.

The Administrative Law Judge's statement that he did not agree with the Respondent's assessment that the Union failed to demonstrate that the requested information was relevant.

3. At page 9, lines 29 through 32.

The Administrative Law Judge's conclusion that the Union's explanation of the need for retiree benefits cost and other information in order to collectively-bargain for the future retirement of current employees articulated and established the relevance of the Union's request to its representational duties.

4. At page 9, lines 34 through 50.

The Administrative Law Judge's conclusion, and explanation for his conclusion, that it seems obvious that in the midst of collective-bargaining negotiations for a labor agreement regarding bargaining for future retiree benefits for current employees, the information most likely to be relevant is information on the benefits for current retirees.

5. At page 10, lines 21 through 24.

The Administrative Law Judge's discussion and conclusion that to find this information is not related to the Union's stated purpose of formulating retiree benefit proposals for future retirees would consign the Union to bargaining in the dark.

6. At page 11, lines 36 through 40.

The Administrative Law Judge's discussion and conclusion that the Union's request for retiree data was well within reason and that the Union did explain with adequate precision why it wanted the information.

7. At page 12, lines 7 through 9.

The Administrative Law Judge's discussion and conclusion that the request for retiree information is fully justified by the explanation that it is needed to formulate bargaining proposals on the subject of future retiree benefits.

8. At page 13, lines 33 and 34.

Exception is taken to the Administrative Law Judge's Conclusion of Law that the Respondent violated Section 8(a)(5) and (1) of the Act by failing and refusing to provide relevant information requested by the Union regarding retiree benefits.

9. At page 13, lines 41 through 51 and page 14, lines 1 through 19.

Exception is taken to all aspects of the Administrative Law Judge's recommended remedy.

10. At page 14, lines 16 through 40 and page 15, lines 1 through 12.

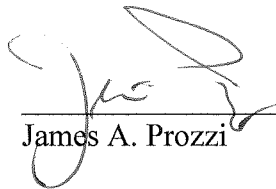
Exception is taken to all aspects of the Administrative Law Judge's recommended order.

11. At pages 129 and 130 of the Transcript of Hearing.

Exception is taken to the Administrative Law Judge's rejection and failure to consider Respondent's proposed Exhibit 5.

Dated in Pittsburgh, Pennsylvania this 20th day of February, 2015.

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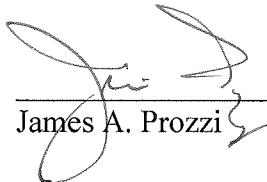
Attorneys for Respondent
FirstEnergy Generation, LLC

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and correct copy of the foregoing Respondent's Exceptions to the Decision of the Administrative Law Judge was forwarded this 20th day of February, 2015, upon the following:

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